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4 UNITED STATES DISTRICT COURT
5 CENTRAL DISTRICT OF CALIFORNIA
6 EASTERN DIVISION
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8 JAIME ACOSTA,

9 Petitioner,

10 v.

11 M. S. EVANS,

12 Respondent.
13

Case No. EDCV 08-01628 PSG (AN)

ORDER APPROVING AND ADOPTING
REPORT AND RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE

14 Pursuant to 28 U.S.C. § 636, the court has reviewed the file, including the
15 Magistrate Judge's Report and Recommendation ("R&R") and Petitioner's Objections
16 thereto, *de novo*. IT IS ORDERED that:

17 1. The Objections are overruled because they principally reiterate arguments
18 that lack merit for the reasons set forth in the R&R and raise other arguments that do
19 not show the findings and conclusions in the R&R are erroneous.

20 2. The R&R is approved and adopted.

21 3. Judgment shall be entered denying the Petition and dismissing this action
22 with prejudice.

23 4. All pending motions are denied as moot and terminated.

24 IT IS FURTHER ORDERED that the clerk of the court shall serve a copy of this
25 Order and the Judgment on all counsel or parties of record.
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27 Dated: December 21, 2010

28 PHILIP S. GUTIERREZ
PHILIP S. GUTIERREZ
UNITED STATES DISTRICT JUDGE